

REMARKS

Claims 1 and 3-7 are pending in the present application. Claims 1 and 3-6 have been amended. Claim 7 has been presented herewith. Claim 2 has been canceled.

Priority Under 35 U.S.C. 119

Applicant notes the Examiner's acknowledgment of the Claim for Priority under 35 U.S.C. 119, and receipt of the certified copy of the priority document.

Drawings

The drawings have been objected to, as the Examiner has required that Fig. 8 be designated by the legend "PRIOR ART". Accordingly, enclosed is one (1) red-inked Annotated Marked-up Drawing Sheet, wherein Fig. 8 has been corrected to be denoted as "PRIOR ART", as requested. Also enclosed is one (1) Drawing Replacement Sheet incorporating the above noted drawing correction. **The Examiner is respectfully requested to acknowledge receipt and approval of the Drawing Replacement Sheet.**

Claim Rejections-35 U.S.C. 103

Claims 1, 3 and 4 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's admitted prior art Fig. 8, in view of the Dennison et al. reference (U.S. Patent No. 6,537,891).

Allowable Subject Matter

Applicant respectfully notes the Examiner's acknowledgment that claims 2, 5 and 6 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Although Applicant does not necessarily concede that the above noted rejection is proper, claim 1 has been amended to include the features of dependent claim 2, merely to advance prosecution of this application. The Examiner is therefore respectfully requested to acknowledge that claims 1, 5 and 6 are allowable.

Claim 7

The variable threshold voltage complementary MOSFET with an SOI structure of claim 7 includes in combination an SOI substrate main body; a first MOSFET; a second MOSFET; and an adjusted bias electrode "disposed on the support substrate for applying an adjusted bias voltage, the adjusted bias voltage selectively adjusts the first MOSFET formed of the fully depleted SOI independently from the second MOSFET formed of the partially depleted SOI".

In Applicant's admitted prior art Fig. 8, both the first and second fully depleted MOSFETs have threshold voltage adjusted by the adjusted bias voltage V_{bs} . Accordingly, Applicant's admitted prior art Fig. 8 does not disclose a first MOSFET of a fully depleted SOI and a second MOSFET of a partially depleted SOI, whereby an adjusted bias voltage as applied to an adjusted bias electrode selectively adjusts the

first MOSFET formed of the fully depleted SOI independently from the second MOSFET formed of the partially depleted SOI.

In the Dennison et al. reference, an adjusted bias voltage is not applied. Accordingly, the Dennison et al. reference also fails to disclose or teach a first MOSFET formed of a fully depleted SOI and a second MOSFET formed of a partially depleted SOI, whereby an adjusted bias voltage as applied to an adjusted bias electrode selectively adjusts the first MOSFET formed of the fully depleted SOI independently from the second MOSFET formed of the partially depleted SOI.

Applicant therefore respectfully submits that the variable threshold voltage complementary MOSFET with an SOI structure of claim 7 distinguishes over and would not have been obvious in view of the prior art as relied upon by the Examiner taken singularly or together. Accordingly, Applicant also respectfully submits that the above noted rejection, insofar as it may pertain to claim 3, 4 and 7, is improper for at least the above reasons.

Conclusion

As noted above, claim 1 has been amended merely to include the features of dependent claim 2, and therefore has scope equivalent to original claim 2. Accordingly, the amendment of claims 1, 5 and 6 should not be construed as narrowing scope within the meaning of *Festo*.

The Examiner is respectfully requested to reconsider and withdraw the

corresponding rejection, and to pass the claims of the present application to issue, for at least the above reasons.

In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (703) 715-0870 in the Washington, D.C. area, to discuss these matters.

Pursuant to the provisions of 37 C.F.R. 1.17 and 1.136(a), the Applicant hereby petitions for an extension of one (1) month to September 25, 2004, for the period in which to file a response to the outstanding Office Action. The required fee of \$110.00 should be charged to Deposit Account No. 50-0238.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

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Enclosures: One (1) red-inked Annotated Marked-up Drawing Sheet
One (1) Drawing Replacement Sheet



FIG. 8
PRIOR ART

